

Keith W. Heard (KH-8578)  
Michael J. Walsh (MW-6578)  
Burke & Parsons  
100 Park Avenue  
New York NY 10017-5533  
(212) 354-3800

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
DOC #:  
DATE FILED: 5/23/07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**MINMETALS SPAIN S.A. and CHINA  
NATIONAL METAL PRODUCTS  
IMPORT & EXPORT CO.,**

**Plaintiffs,**

**-against-**

**HAWKNET LTD.,**

**Defendant.**

07 CV 3250 (JGK)

**STIPULATION AND ORDER  
FOR SECOND PARTIAL  
RELEASE OF FUNDS  
UNDER ATTACHMENT**

WHEREAS, plaintiffs obtained an order from this Court dated April 24, 2007  
authorizing issuance and service of Process of Maritime Attachment and  
Garnishment ("Process") on JP Morgan Chase Bank and other banks in this District;  
and

WHEREAS, as a result of the service of said Process on JP Morgan Chase  
Bank, funds in the amount of \$1,561,738.51 have been attached at said bank; and

WHEREAS, plaintiffs and defendants reached an agreement to resolve the  
maritime dispute that forms the basis for this action; and,

WHEREAS, pursuant to the settlement between plaintiffs and defendant, JP Morgan Chase Bank previously released \$500,000 out of the total amount attached, while continuing to hold the balance of \$1,061,738.51, pending further order of this Court.

WHEREAS, pursuant to the aforementioned settlement, plaintiffs have now agreed that JP Morgan Chase Bank should immediately release a second tranche of \$500,000, while continuing to hold the balance of \$561,738.51, pending further order of this Court.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the parties hereto that an Order should be entered in this action instructing JP Morgan Chase Bank, as garnishee, to (a) release \$500,000 from the attachment obtained by plaintiffs pursuant to Process issued by this Court, with defendant's counsel to provide wire transfer instructions to the bank for remittance of the \$500,000 directly to defendant and (b) continue to hold the balance of \$561,738.51, pending further order of this Court.

Dated: New York, NY  
May 22, 2007

LAW OFFICES OF RAHUL WANCHOO  
Attorneys for Plaintiffs  
Minmetals S.A. and China National Metals  
Products Import & Export Co.

By Rahul Wanchoo  
Rahul Wanchoo (RW-8725)

BURKE & PARSONS  
Attorneys for Defendant  
HAWKNET LTD.

By Keith W. Heard  
Keith W. Heard (KH-8578)

SO ORDERED:

DATED: May 23, 2007

Loretta A. Presby  
U.S.D.J.  
Part I

0:\CM\8993\_IP\BP\_DOC\0037.DOC

STIPULATION AND ORDER FOR SECOND  
PARTIAL RELEASE OF FUNDS UNDER ATTACHMENT

Page 3 of 3